

REMARKS

Claim Rejections

Claim 14 is rejected under 35 U.S.C. § 112, second paragraph. Claims 14-18 and 20 are rejected under 35 U.S.C. § 102(b) as being anticipated by Pharo (U.S. 5,427,830). Claim 19 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Pharo.

Drawings

It is noted that no Patent Drawing Review (Form PTO-948) was received with the outstanding Office Action. Thus, Applicant must assume that the drawings are acceptable as filed.

Claim Amendments

By this Amendment, Applicant has canceled claim 16 and has amended claims 14 and 17 of this application. It is believed that the amended claims specifically set forth each element of Applicant's invention in full compliance with 35 U.S.C. § 112, and define subject matter that is patentably distinguishable over the cited prior art.

The cited reference to Pharo teaches a continuous inflatable plastic wrapping material having a top layer (117) and a bottom layer (117A) defining a bag, a two-ply valve system located along a center of the top layer, and a self-sealing passage (118). In Pharo, when the bag is inflated the top layer (117) and the bottom layer (117A) are separated to define side walls; which is unlike the present invention, wherein when the plurality of bladders are inflated with a fluid, the upper sheet (21), the lower film (26), and the upper film (25) are pressed away from the lower sheet (22) by the fluid.

Pharo does not teach a plurality of coupling points connecting the upper sheet, the lower film, and the upper film, wherein, when the plurality of bladders are inflated with a fluid, the upper sheet, the lower film, and the upper film are pressed away from the lower sheet by the fluid.

It is axiomatic in U.S. patent law that, in order for a reference to anticipate a claimed structure, it must clearly disclose each and every feature of the claimed structure. Applicant submits that it is abundantly clear, as discussed above, that Pharo does not disclose each and every feature of Applicant's new claims and, therefore, could not possibly anticipate these claims under 35 U.S.C. § 102. Absent a specific showing of these features, Pharo cannot be said to anticipate any of Applicant's new claims under 35 U.S.C. § 102.

It is further submitted that Pharo does not disclose, or suggest any modification of the specifically disclosed structures that would lead one having ordinary skill in the art to arrive at Applicant's claimed structure. Thus, it is not believed that Pharo renders obvious any of Applicant's amended claims under 35 U.S.C. § 103.

Summary

In view of the foregoing, Applicant submits that this application is now in condition for allowance and such action is respectfully requested. Should the Examiner not be of the opinion that this case is in condition for allowance, it is requested that this amendment be entered for the purposes of appeal, since it materially reduces the issues on appeal by cancelling claim 16, thereby rendering moot the outstanding rejection under 35 U.S.C. § 102.

Should any points remain in issue, which the Examiner feels could best be resolved by either a personal or a telephone interview, it is urged that Applicant's local attorney be contacted at the exchange listed below.

Application No. 10/828,312

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Respectfully submitted,

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